

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v

YAMIL H. KOURI PEREZ
Defendants

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CASE: 97-CR-91 (JAF)

REQUEST FOR ORDER

TO THE HONORABLE COURT:

NOW COMES the United States of America represented by the undersigned attorneys and respectfully requests an order, directing the U.S. Marshal Service to forward the amount of \$408,296.46 to the Clerk's Office of this district, to be applied towards the satisfaction of the restitution of the above named defendant, based on the following:

1. In the instant case, a criminal judgment was issued on November 10, 1999 against the above named defendant.

2. The Court imposed a restitution in favor of U.S. Department of Health and Human Services in the amount of \$1,394,358.95 and a fine in the amount of \$17,500.

3. On or about June 30, 2000 the defendant filed a motion, copy attached hereto for easy reference, informing in essence, that "...one of the properties that the government had placed a lien was sold by **mutual agreement of the parties** who stipulated that the funds would be placed in escrow pending the finality of the [appeal] case. There are over \$450,000 deposited in said escrow account..." (Emphasis added)

4. That as of today the defendant still owes the fine and the restitution.

5. Since his appeal case already has concluded, the Government hereby wishes to enforce

the above stipulation and as such requests for an order addressed to the U.S. Marshal Service, to forward to the Clerk's Office of U.S. District Court for the District of Puerto Rico, the monies deposited in the "SADF" to be applied by the Financial Division of the court towards the satisfaction of the restitution imposed on said defendant.

6. Upon information and belief there is deposited in the fund "SADF" of the USMS, the amount of \$408, 296.46

WHEREFORE the United States of America respectfully requests, in view of all the above, for an order addressed to the U.S. Marshal Service directing them to forward to the Clerk's Office of this district, from the fund "SADF", the amount of \$408,296.46 to be applied towards the satisfaction of the restitution of the above named defendant.

CERTIFICATE: I hereby certify that the instant document was filed on this same date via CM/ECF and copy sent by regular mail to the following attorneys of record: Benny F. Cerezo, 848 Hostos, Hyde Park, Rio Piedras, PR 00927-4216; Charles W. Daniels, 20 First Plaza, Suite 700, Albuquerque, NM 87102; Fernando J. Carlo Gorbea, P.O. Box 19689, San Juan, PR 00919-5689; Joaquin Monserrate Matienzo, 606 Muñoz Rivera Ave. San Juan, PR 00918; Rafael Castro Lang, Box 9023222, San Juan, PR 00902-3222; and the USMS, FOB, 150 Chardon Ave, Hato

Rey, PR 00918.

At San Juan, Puerto Rico this 9th day of February, 2007.

ROSA EMILIA RODRIGUEZ VELEZ
UNITED STATES ATTORNEY

s/ Rebecca Vargas-Vera, 203307
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